

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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COFANE ASSOCIATES, LLC,

Plaintiff,

ADOPTION ORDER
21-CV-7162 (JS) (ST)

-against-

LONG ISLAND CITY DEVELOPERS
GROUP, LLC and JOSEPH TORRES,

Defendants.

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APPEARANCES

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SEYBERT, District Judge:

Cofane Associates, LLC ("Plaintiff") commenced this action in state court against Long Island City Developers Group, LLC ("LICDG") and Joseph Torres ("Torres") (collectively, "Defendants"), based upon LICDG's alleged default under a mortgage

note that Torres personally guaranteed. Prior to Torres' removal of this case, LICDG filed for bankruptcy, which remains pending. Thereafter, Plaintiff filed a motion to remand its claim against Torres to state court (see Mot., ECF No. 4), which the Court referred to the Honorable Steven Tiscione for a Report and Recommendation ("R&R").

On August 29, 2022, Judge Tiscione issued his R&R, recommending the Court sua sponte sever Plaintiff's claim against Torres and grant the motion to remand. (See R&R, ECF No. 13.) Defendants were served a copy of the R&R that same day. (See Service Aff., ECF No. 14.) The time to object to the R&R has expired and no objections to the R&R have been filed.

Upon careful review and consideration, the Court finds Judge Tiscione's R&R to be comprehensive, well-reasoned, and free of clear error. As such, the Court ADOPTS the R&R in its entirety, and the claim against Torres is SEVERED and REMANDED to state court. Due to LICDG's bankruptcy, this action is STAYED. Plaintiff is directed to file a status report concerning LICDG's bankruptcy on or before November 29, 2022.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: September 30, 2022
Central Islip, New York